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Letter dated 23 May 2013 from the President of the International Criminal Tribunal for Rwanda addressed to the President of the Security Council

I have the honour to transmit herewith the assessments of the President and the Prosecutor of the International Criminal Tribunal for Rwanda on the implementation of the completion strategy of the Tribunal, pursuant to Security Council resolution 1534 (2004), as at 10 May 2013 (see enclosure).

I should be grateful if you would transmit the enclosed report to the members of the Security Council.

(*Signed*) Judge Vagn **Joensen**
President

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Report on the completion strategy of the International Criminal Tribunal for Rwanda (as at 10 May 2013)

[Original: English and French]

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Introduction

1. In 2003, the International Criminal Tribunal for Rwanda ("the Tribunal") formalized a strategy ("the completion strategy") to achieve the objectives of completing investigations by the end of 2004, all trial activities at first instance by the end of 2008, and all of its work in 2010, in accordance with Security Council resolution 1503 (2003).

2. The present report, in conjunction with previous submissions to the Security Council pursuant to resolution 1534 (2004), provides an overview of the Tribunal's progress to date in implementing the completion strategy, which has been continuously updated and developed since 2003.[1]

3. As at 10 May 2013, the Tribunal has completed its work at the trial level with respect to all of the 93 accused. This includes 55 first-instance judgements involving 75 accused, 10 referrals to national jurisdictions (four apprehended accused and six fugitive cases), three top-priority fugitives whose cases have been transferred to the International Residual Mechanism for Criminal Tribunals ("the Residual Mechanism"), two withdrawn indictments and three indictees who died prior to or in the course of trial. The final substantive trial judgement was delivered as projected in December 2012, and appellate proceedings have been concluded in respect of 46 persons. All but one of the remaining appeals will be completed in 2014. Owing to delays in translation and other factors as described herein, the final appeal (in the *Butare* case) is now projected to be completed by July 2015.

4. In the previous reporting period, the Tribunal had referred the second case of an accused in its custody (Bernard Munyagishari) to Rwanda for trial. This decision was upheld by the Appeals Chamber in a decision rendered on 3 May 2013, and the transfer of Mr. Munyagishari to Rwanda is expected imminently.

5. While nine accused persons indicted by the Tribunal remain at large, the responsibility for tracking and trials of all nine remains with Rwanda and the Residual Mechanism, since the cases of six of the nine fugitives have been referred to Rwanda, while the remaining three will stand trial before the Residual Mechanism when they are arrested. Preservation of evidence proceedings under rule 71 bis have been completed for all three who will be tried before the Residual Mechanism, ensuring that the trials may proceed smoothly whenever the arrests are made.

6. The transition from the Tribunal to the Residual Mechanism is now well under way. Most judicial and prosecutorial functions have already been handed over to the Residual Mechanism, and administrative services are being provided to it by the Tribunal and the International Tribunal for the Former Yugoslavia, with the transition beginning to take place on a continuous basis as the Residual Mechanism prepares to support itself in various administrative functions.

[1] See the reports submitted to the United Nations on 14 July 2003 and 29 September 2003, in connection with General Assembly resolution 57/289 and the Tribunal's request to increase the number of ad litem judges sitting "at any one time". Completion strategy reports were submitted to the President of the Security Council on 30 April 2004, 19 November 2004, 23 May 2005, 30 November 2005, 29 May 2006, 8 December 2006, 31 May 2007, 20 November 2007, 13 May 2008, 21 November 2008, 14 May 2009, 9 November 2009, 25 May 2010, 1 November 2010, 12 May 2011, 4 November 2011, 11 May 2012 and 5 November 2012.

I. Activities in Chambers

A. Activities at first instance

7. The present report covers the period from 6 November 2012 to 10 May 2013. At the beginning of the reporting period, the remaining workload of the Tribunal to be completed at first instance was one trial judgement. That judgement was delivered on 20 December 2012. As a result of this, all substantive trial work is now complete, and the Tribunal remains seized of only three contempt of court/false testimony cases where orders in lieu of indictments have been confirmed before 30 June 2012.

8. The major challenge for the coming months remains the preparation of archives for the handover to the Residual Mechanism amidst the continued departure of key staff. Despite persistent staffing challenges which led to delays as described herein, the present report shows that the Tribunal delivered its final trial judgement as projected. Going forward, there remain only appellate work and the continuation of the transition to the Residual Mechanism.

1. Judgement (annex I)

9. On 20 December 2012, a section of the Trial Chamber composed of Judges Sekule, presiding, Bossa and Rajohnson rendered oral judgement in the *Ngirabatware* case, sentencing Augustin Ngirabatware to 35 years' imprisonment after finding him guilty of genocide, direct and public incitement to commit genocide and rape as a crime against humanity. The accused was the Minister of Planning during the relevant period. Throughout the course of the trial, a total of 27 prosecution witnesses and 35 defence witnesses were heard by the Chamber. The written judgement was filed on 21 February 2013. On the same date, the Chamber rendered a decision ordering prosecution by the Residual Mechanism of two individuals for contempt of the Tribunal for alleged improper conduct related to witnesses in the *Ngirabatware* trial. The decision has been challenged in the Residual Mechanism by those accused of contempt. The outcome of the pending motions will determine whether the prosecutions will move forward.

2. Referrals pursuant to rule 11 bis (annex II)

10. As is shown on the chart in annex II to the present report, four cases of accused indicted by the Tribunal who are in custody have been referred to national jurisdictions. Two were referred to France and two to Rwanda. The monitoring of all referred cases now falls under the Residual Mechanism; however the Tribunal has agreed to continue to administer the monitoring of the *Uwinkindi* trial in Rwanda, which began prior to 1 July 2012, until the end of 2013 or until completion of the trial, if sooner, including providing the assistance of legal officers from the Registry.

3. Other work in the Trial Chamber

Special depositions pursuant to rule 71 bis

11. Evidence preservation was concluded in the previous reporting period in the cases against fugitives Protais Mpiranya, Augustin Bizimana and Félicien Kabuga. The evidence preserved will assist in the trials of the fugitives before the Residual Mechanism when each is arrested.

Office of the President

12. During the reporting period, the President's judicial responsibilities included issuance of orders and decisions on matters that included a claim for compensation and, in his double-hatted role as duty judge of the Residual Mechanism for the Arusha branch, matters on State cooperation and witness protection review, and in relation to the fugitive cases referred to the Residual Mechanism and Rwanda. Furthermore, he continued to oversee the administration of the monitoring of the *Uwinkindi* case in Rwanda.

13. During the reporting period, the President consistently held meetings and will continue to work closely with the Archives Unit of the Tribunal to ensure a smooth transition of all Tribunal trial and Office of the President records to the Residual Mechanism. The President has also taken a very active role in joint efforts with the Registrar to relocate the acquitted and released convicted persons who remain in the United Republic of Tanzania, as detailed in section II.D below.

14. The President chaired meetings of the Joint Coordination Council of the Tribunal and the Residual Mechanism on 2 February and 3 May 2013. The Joint Coordination Council is composed of the Presidents, Registrars and Prosecutor of the Tribunal and the Residual Mechanism. During the meetings, coordination of the Residual Mechanism and Tribunal policies related to the transition and coordinated budgeting for 2014-2015 were discussed, and important policy decisions were reached which have had a positive impact on the transition process.

4. Status of fugitives (annex III)

15. As at 10 May 2013, nine fugitives indicted by the Tribunal remain at large. However, none remain within the Tribunal's purview of responsibility, since six of the nine cases have been referred to Rwanda, and the remaining three top priority fugitives will be tried by the Residual Mechanism.

B. Activities at the Appeals Chamber (annex IV)

16. As at 10 May 2013, appellate proceedings have been concluded in respect of 46 persons. During the reporting period, the Appeals Chamber delivered one appeal judgement concerning two persons, in the *Mugenzi & Mugiraneza* case. The Appeals Chamber also rendered a final decision upholding the Trial Chamber's referral of the *Munyagishari* case to Rwanda, one decision concerning a post-appeal request, and 47 pre-appeal orders and decisions.

17. The Appeals Chamber has met its accelerated projection of delivering one judgement concerning two persons in the first quarter of 2013. Two more appeal cases concerning five persons are expected to be disposed of by the end of 2013, three appeal judgements concerning four persons will be delivered in 2014, and the remaining appeal judgement concerning six persons will be delivered by July 2015 (see annex IV).

18. In its judgement of 4 February 2013, the Appeals Chamber reversed the convictions of Justin Mugenzi and Prosper Mugiraneza entered by Trial Chamber II on 30 September 2011. The Appeals Chamber heard the appeals in October 2012 and, in its judgement, found that the Trial Chamber had erred in convicting Mugenzi and Mugiraneza of conspiracy to commit genocide and of direct and public

incitement to commit genocide. The Appeals Chamber ordered their immediate release.

Pending appeals from judgement: six cases

19. The trial judgement in the *Ndindiliyimana et al. (Military II)* case was rendered on 17 May 2011 and issued in writing on 17 June 2011. All five parties (the four convicted persons and the prosecution) appealed. The briefing concluded in May 2012, and the appeals were heard from 7 through 10 May 2013.

20. The trial judgement in the *Nyiramasuhuko et al. (Butare)* case was rendered on 24 June 2011 and issued in writing on 14 July 2011. All seven parties (the six convicted persons and the prosecution) appealed. Due to their inability to work in English, the language in which the trial judgement was issued, all six convicted persons were granted extensions of time to file their appeal briefs after receiving the French translation of the trial judgement. The convicted person who is the subject of the prosecution's appeal was also granted an extension of time to file his response brief after receiving the translation. The initial completion projections in this case were based on the original notices of appeal and the expectation that the French translation of the trial judgement would be available at the end of August 2012. However, the French translation of the trial judgement was completed and served on the parties only at the beginning of February 2013, occasioning a five-month delay in the filing of the appeal briefs of the six convicted persons and of the response brief to the prosecution's appeal. In addition, four of the six convicted persons have requested and have been granted leave to expand the scope of their appeals by adding new allegations of errors. As a result, the prosecution received an extension of time to respond to the expanded appeals. The briefing of the appeal submissions in this case is therefore not likely to be completed before September 2013. The new projection of delivery of the appeals judgement in July 2015 reflects those delays in the briefing schedule as well as the fact that the scope of the appeals in this case has expanded since the initial notices of appeal upon which the earlier projection was based.

21. The trial judgement in the *Ndahimana* case was rendered on 17 November 2011 and issued in writing on 18 January 2012. Both the defence and prosecution filed their notices of appeal in February 2012. The briefing in this case concluded in February 2013, and the appeals were heard on 6 May 2013.

22. The trial judgement in the *Karemera & Ngirumpatse (Government I)* case was rendered on 21 December 2011 and issued in writing on 2 February 2012. All three parties (both convicted persons and the prosecution) filed their notices of appeal in March 2012, and the briefing concluded in March 2013. The appeals are presently being prepared for a hearing.

23. The trial judgement in the *Nzabonimana* case was rendered on 31 May 2012 and issued in writing on 25 June 2012. Both the defence and prosecution filed notices of appeal, and the briefing is in progress.

24. The trial judgement in the *Nizeyimana* case was rendered on 19 June 2012 and issued in writing on 22 June 2012. Both the defence and prosecution filed notices of appeal, and the briefing is in progress.

II. Measures implementing the completion strategy

25. The following section supplements prior reports and highlights essential elements of the Tribunal's efforts to comply with its completion strategy.

A. Judicial calendar and management of proceedings

26. The Tribunal has completed all trial work, as projected, before the end of 2012. During the reporting period, all projections for the delivery of trial and appeal judgements have been met. The notice of appeals in the *Ngirabatware* case have been filed with the Residual Mechanism as expected. The pending Tribunal appeals remain on track to be completed by the end of 2014, save for the *Butare* appeal, for which judgement delivery is now expected in July 2015.

27. The Tribunal continues to make progress towards completing its mandate. As detailed below in section III, all organs are working diligently to facilitate the closing of the Tribunal and the transition to the Residual Mechanism.

28. The transfer of judicial functions to the Residual Mechanism is nearly complete. Monitoring mechanisms are in place for the cases transferred to Rwanda pursuant to rule 11 bis and are in the process of being handed over to the Residual Mechanism. The cases of six fugitives have been referred to Rwanda, while the remaining three will stand trial before the Residual Mechanism when they are arrested. Preservation of evidence proceedings under rule 71 bis have all been completed. It is vital that the Tribunal work to retain necessary staff until the expiry of contracts in line with downsizing plans in its remaining time so that it may complete all necessary work within current projections.

B. Judges and staff management

1. Judges

29. Currently, 11 permanent judges are working in the Appeals Chamber and one ad litem judge (the President) is working in the Trial Chamber of the Tribunal.

30. During the reporting period, Judges Solomy Balungi Bossa (Uganda) and Mparany Richard Rajohnson (Madagascar) left the Tribunal after completion of their final case. Judge William H. Sekule (United Republic of Tanzania) was redeployed to the Appeals Chamber in March 2013, bringing the number of permanent judges who sit on the Appeals Chamber from the Tribunal to six.

31. On 12 December 2012, the Security Council adopted resolution 2080 (2012), extending the terms of the Tribunal's Appeals Chamber Judges until the end of 2014 or until completion of the cases to which they are assigned, if sooner. The Tribunal wishes to express its gratitude to the Security Council for passing this resolution in a timely manner, thus helping the Tribunal to continue to meet its completion strategy targets.

2. Staff management and budget

32. The downsizing process that began in 2008-2009 continues in 2012-2013 with the proposed abolishment of 212 posts, representing 34 per cent of the authorized

2010-2011 level. A mechanism designed to identify in a fair and transparent manner which individual staff members are to be separated as part of the downsizing process has been put in place in consultation with the Staff Association.

33. The downsizing process continues to have an impact on managers' ability to perform their regular functions, which consequently has an impact on programme delivery. This is compounded by the fact that the reduction in staff is causing managers and staff to be required to perform an increasing range of functions. The Tribunal continues to receive the support of the Department of Management of the Secretariat, in particular the Office of the Controller and the Office of Human Resources Management, to implement mitigating strategies in line with the applicable Staff Rules and Regulations of the United Nations.

34. At this stage of the operations of the Tribunal, the biggest human resources challenge is to provide adequate support to staff during the downsizing process in their transition from the Tribunal to other careers. The lack of a structured and sustainable arrangement for the Secretariat to reintegrate staff of the Tribunal into the wider United Nations workforce, despite their experience and qualifications, has an impact on the ability of the Tribunal to retain the relatively small number of remaining staff required to stay on until completion of the mandate. In addition, the inability to offer contracts of more than one year requires the Tribunal to recruit staff through the use of temporary vacancy announcements for which not many staff with experience are willing to give up existing fixed-term contracts. The Tribunal will continue to explore with the Office of Human Resources Management the possibility, through the use of flexibility within the Staff Rules, to assist in meeting those challenges to prevent any further delay in the completion of the mandate of the Tribunal.

C. Work of the Office of the Prosecutor

35. The Office of the Prosecutor has continued to focus its efforts on completing ongoing appeals and monitoring the referral of cases to national jurisdictions. In addition, and in the light of Security Council resolution 1966 (2010), the Office of the Prosecutor has also focused on transitional activities that will ensure a smooth transfer of functions to the Residual Mechanism, both branches of which will be fully operational effective 1 July 2013.

1. Workload

36. During the reporting period, the Office of the Prosecutor concluded the trial phase of the Tribunal with oral judgement returned on 20 December 2012 and written judgement entered on 21 February 2013 in the case of *The Prosecutor v. Augustin Ngirabatware*. The accused was sentenced to 35 years' imprisonment for genocide, direct and public incitement to commit genocide, and rape as a crime against humanity. A notice of appeal has been filed and will be heard by the Appeals Chamber of the Residual Mechanism.

37. The conclusion of the trial phase of the Tribunal has resulted in a substantial increase in the workload of the Appeals and Legal Advisory Division, which has been litigating 32 appeals arising from nine cases. As noted in the previous report of the Office of the Prosecutor, eight cases have now been referred, pursuant to rule 11 bis, to Rwanda for trial (Jean Uwinkindi, Charles Sikubwabo, Fulgence

Kayishema, Ladislas Ntaganzwa, Aloys Ndimbati, Charles Ryandikayo, Phénéas Munyarugarama and Bernard Munyagishari) and two cases (Laurent Bucyibaruta and Wenceslas Munyeshyaka) have been referred to France. With the return of the Munyagishari Appeals Chamber decision on 3 May 2013, which affirmed the referral of this case to Rwanda for trial, all of the referral orders are now final. Following the return of the Appeals Chamber judgement, Bernard Munyagishari filed a motion to stay his physical transfer to Rwanda; the Prosecutor has opposed that motion, and a decision is anticipated shortly. The Office of the Prosecutor will continue to monitor progress in all referred cases.

38. In addition to handling ongoing litigation related to the referral of cases to national jurisdictions, the Appeals and Legal Advisory Division prepared a legal opinion to the Prosecutor in connection with the *Ngirabatware* Trial Chamber judgement. On 4 February 2013, the Office of the Prosecutor also received the judgement of acquittal of the Appeals Chamber in connection with the appeals filed by Justin Mugenzi and Prosper Mugiraneza. The briefing in connection with the prosecution appeal filed in the *Butare* case, which involves six defendants, closed at the end of March 2013; the briefing in connection with the six *Butare* defence appeals started in April 2013 and will continue through at least mid-2013. The briefing in the appeals filed by the prosecution and defence in the case against Édouard Karemera and Matthieu Ngirumpatse closed in February 2013, but substantial litigation is anticipated to continue prior to the scheduling of this case for oral argument later this year. The briefing in the appeals filed by the prosecution and defence in the case against Grégoire Ndahimana also closed in early 2013. On 6 May 2013, the Office of the Prosecutor presented oral argument in the *Ndahimana* case. From 7 May to 10 May 2013, the Office of the Prosecutor presented oral arguments in the eight appeals (four prosecution and four defence) that comprise the *Military II* case. Final judgements in both cases are anticipated by the end of 2013 or early in 2014.

39. During the reporting period, the Appeals and Legal Advisory Division continued to handle other pending post-conviction matters, including an application for compensation for damages filed by Protais Zigiranyirazo, who was acquitted by the Appeals Chamber in November 2009. By its decision dated 26 February 2013, the Appeals Chamber denied Zigiranyirazo's application for leave to appeal the Trial Chamber's denial of his application for compensation for damages. The Appeals and Legal Advisory Division also continued to litigate an application for review filed by Juvénal Kajelijeli in connection with the 2005 judgement of the Appeals Chamber. A decision on this application is anticipated later this year.

40. The Information and Evidence Support Section has continued to support appeals teams in complying with the ongoing obligation of the Office of the Prosecutor to disclose potentially exculpatory evidence to the defence. The Section assists the appeals teams of the Appeals and Legal Advisory Division in formulating relevant search criteria and conducting electronic searches of the evidence database of the Office of the Prosecutor. The Division and the Section plan to jointly undertake a comprehensive review of cases that have gone to final judgement to identify any potentially exculpatory material that has not yet been disclosed. This ongoing review of disclosure obligations is mandatory under rule 68 of the Rules of the Tribunal and is essential to the smooth transition of functions to the Residual Mechanism. All records of the Investigations Division have been transferred from Kigali to Arusha, United Republic of Tanzania. In addition, the Information and

Evidence Support Section has also continued to assist the Office of the Prosecutor of the Residual Mechanism in conducting electronic searches on the various databases of the Office of the Prosecutor in response to requests for assistance by national authorities.

41. During the reporting period, the Office of the Prosecutor has started work on the Prosecutor's closing report to the Secretary-General and other essential legacy products that have been initiated over the years. The Office actively contributed to the finalization and launching of a Best Practices Manual jointly prepared by the International Tribunal for the Former Yugoslavia, the International Criminal Tribunal for Rwanda, the Special Court for Sierra Leone, the Special Tribunal for Lebanon and the Extraordinary Chambers in the Courts of Cambodia on the investigations and prosecution of international crimes. Two substantial lessons learned manuals were prepared, respectively, on the investigation and prosecution of sexual and gender-based violence and on the management of victims and witnesses of sexual violence crimes in situations of armed conflict. Those manuals were subjected to peer review at an international workshop organized by the Office of the Prosecutor in Kigali in collaboration with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Open Society Justice Initiative, the East African Community and the Government of Rwanda. Other legacy projects of this nature continue to be prepared on tracking and arrest of fugitives, the recording of the course of the 1994 Rwandan genocide on the basis of facts established by the judicial process of the Tribunal as well as the challenges in the referral under rule 11 bis of the Tribunal rules of cases to national jurisdictions for trial.

2. Cooperation of the Office of the Prosecutor with Member States

42. Member States have continued to intensify their cooperation with the objective of bringing to trial, within their national jurisdictions, the Rwandan suspects appearing on the list of wanted fugitives of the International Criminal Police Organization (INTERPOL). In this context, the Office of the Prosecutor continued to strengthen its cooperation with diverse intergovernmental organizations, such as INTERPOL and its national offices, and to provide mutual legal assistance and information to national prosecuting authorities, including Rwanda. The responsibility for the servicing of foreign requests for assistance formally moved to the Residual Mechanism from 1 July 2012, and core staff of the Residual Mechanism assumed responsibility for it on 1 November 2012. Staff of the Office of the Prosecutor of the Tribunal continued to assist in discharging this responsibility in their capacity as double-hatted staff in order to ensure a smooth and secure transition. Although the number of the requests for assistance received by the Prosecutor remained at a level similar to that of previous reporting periods, the substance of said requests was more voluminous during the reporting period. A total of 35 requests were received from 11 Member States and international organizations.

3. Staffing

43. With the completion of the prosecution workload and transfer of several functions to the Residual Mechanism, the Prosecution Division has closed and its remaining staff have separated. With the return of Appeals Chamber judgements and completion of other core work, such as rule 11 bis litigation and disclosure updates, an initial reduction in current staffing levels of the Office of the Prosecutor of the

Tribunal is anticipated with effect from 1 January 2014, followed by a larger reduction in June 2014, when additional appeals are completed. By the expected date of delivery of the Appeals Chamber judgement in the *Butare* case, the Prosecutor anticipates closing the Office of the Prosecutor of the Tribunal and shifting any remaining functions to the Office of the Prosecutor of the Residual Mechanism either as a core activity or through the double-hatting of functions.

D. Cooperation between Member States and the Tribunal

44. The Office of the Registrar continued to act as the diplomatic arm of the Tribunal as well as the channel of communication among the organs of the Tribunal. As such, the Office of the Registrar maintained high-level diplomatic contacts with Member States, international organizations, and non-governmental organizations (NGOs). During the reporting period, the Office of the Registrar transmitted 66 notes verbales and other correspondence related to the operations of the Tribunal, in particular, to secure support and cooperation from Member States.

45. Without the enhanced cooperation of Member States in certain areas, it would be extremely difficult for the Tribunal to complete its mission. Cooperation ought not to be limited solely to prosecutions, but should also include any requests for assistance made by the Tribunal in order to accomplish its mission, such as the relocation of acquitted and released persons. Although the Tribunal recognizes that article 28 of its Statute does not formally obligate Member States to cooperate in matters of relocation, the lack of such obligation has caused the Tribunal to be in an increasingly dire situation with respect to helping people to resume their lives after being detained by the Tribunal and then released in the United Republic of Tanzania. Over a long period of time, the Registrar has made concerted efforts to relocate those persons outside of the United Republic of Tanzania, but with very little success. With the limited time left before the closure of the Tribunal, and considering the large number of persons who need to be relocated, it was agreed that the President would also use his good offices and assist, especially with diplomatic efforts, to relocate those persons with the hope that all relocation can be concluded before the Tribunal closes.

46. In this regard, the President and the Registrar continue to deploy all possible efforts to find host countries for the seven acquitted persons and three persons released after completion of their sentences who remain in safe houses in Arusha under the Tribunal's protection ("the acquitted and released persons"), one of whom was acquitted in 2004. These 10 individuals remain on Tanzanian territory without proper immigration status and are therefore unable to move freely. Efforts during the reporting period included a mission to France in December 2012 by the Acting Registrar to further sensitize the French authorities to the issue of the acquitted and released persons. Upon assuming his new functions in January 2013, the newly appointed Registrar also travelled on mission to Dar-es-Salaam and Kigali in February 2013. In Dar-es-Salaam, the Registrar called upon the Government of the United Republic of Tanzania to consider permanently hosting any of those persons. In Kigali, the Registrar requested the diplomatic support of the Government of Rwanda in facilitating the Tribunal's efforts to overcome the challenges being faced with respect to relocation. The President also undertook extensive endeavours on relocation during the reporting period, including taking the lead with respect to efforts to garner the support of the International Organization for Migration (IOM)

and the Office of the United Nations High Commissioner for Refugees (UNHCR) through discussions with senior officials in Geneva in April 2013. The President and Registrar also met with the President of the International Criminal Court in The Hague in April 2013, where discussion on the similar difficulties of the International Criminal Court with respect to relocation of acquitted persons resulted in an agreement to coordinate efforts between the Tribunal and the International Criminal Court to find a sustainable solution.

47. The President and the Registrar have also developed a joint action plan for relocation which will be submitted shortly to the Security Council as well as to IOM, UNHCR and other United Nations agencies in order to formally seek their support in this important issue. As the report details, the challenge to relocation is the result of the absence of a formal mechanism to secure the support of Member States to accept those persons within their territories, and the Statute of the Tribunal is unfortunately silent in that respect. The Tribunal considers that relocation in order to allow persons to resume their lives after being acquitted or released after serving a sentence imposed by an international criminal tribunal is a fundamental expression of the rule of law and is concerned about the consequences of failing to fulfil its obligations in this respect. In the light of the imminent closure of the Tribunal and the insufficient level of voluntary cooperation of Member States, the Tribunal calls once again upon the assistance of the Security Council to find a sustainable solution to this issue.

48. The report on the work of the Office of the Prosecutor above highlights close cooperation with regard to the arrest of fugitives, preparation of referrals to national jurisdictions and assistance to national prosecuting authorities.

E. Outreach and capacity-building

49. During the reporting period, the Tribunal continued to implement major outreach programmes. In this task, the offices of the Tribunal in Arusha, the Information and Documentation Centre in Kigali ("Umusanzu") and the 10 additional provincial mini-information centres located across Rwanda continued to play a key role in dissemination of information, improved communication and access to the jurisprudence of the Tribunal and other legal materials. In Rwanda, the centres were visited daily by members of the Rwandan judiciary, students, researchers and the public who were provided with informative materials and with access to briefings, training, library services, video screenings and the Internet. The Arusha office attracted a total number of 650 visitors, including 169 VIPs, the Kigali Umusanzu Centre received almost 40,000 visitors, and the Tribunal provincial mini-information centres in Rwanda attracted approximately 25,000 visitors. Those visitors included high-level United Nations and government officials, academics, civil society members, non-governmental organizations and the general public.

50. The Tribunal, through the Office of the Prosecutor, hosted a three-day international workshop in late November 2012 in Kigali, Rwanda on the prosecution of crimes of sexual and gender-based violence. The workshop was made possible with the partnership of UN-Women and the generous support of the Open Society Justice Initiative, the East African Community and the Government of Rwanda.

51. In February and March 2013 the Tribunal also co-hosted a pan-African lessons learned conference in Arusha to commemorate the tenth anniversary of the

International Criminal Court. The conference was convened by Africa Legal Aid in cooperation with the International Legal Assistance Consortium and the International Bar Association.

52. The Tribunal also continued to disseminate information to all national, regional and international stakeholders, and organized several awareness-raising exhibitions and workshops in Arusha, Dar-es-Salaam, Nairobi and Kigali. Also, more than 2,500 copies of the Tribunal's cartoon book entitled "100 Days in the Land of the Thousand Hills", which informs and teaches youth about genocide, its causes and dynamics, and in particular about the Rwandan genocide and the concept of "never again" becoming a reality, were distributed in Burundi, Kenya, Rwanda, Uganda and the United Republic of Tanzania. This was part of a major Youth Sensitization Project conducted by the Tribunal and supported by Germany and the United Nations Office in Nairobi in the Great Lakes Region, which also included an essay and drawing competition involving more than 100 schools.

53. During the reporting period, the Outreach Team of the Tribunal in Kigali also engaged in several outreach activities. The team continued countrywide implementation of the genocide awareness-raising workshops, funded by the Department of Public Information of the Secretariat, covering 36 secondary schools and 4 demobilization, solidarity and reintegration camps in six districts. Approximately 34,800 teachers, students and ex-combatants participated in the programme.

54. The Tribunal also organized a training workshop for legal professionals in Rwanda, with the aim of further strengthening the Rwandan justice sector in such areas as investigations, witness protection, evidence and information management, and oral and written advocacy skills. This training was organized to equip the Rwandan judiciary with the necessary tools for successfully taking up cases that have been referred by the Tribunal. An example of the initiatives that the Tribunal conducted is an online legal research training for law students and lecturers from the Law Faculty of the Kigali Independent University, members of the Rwandan Institute for Legal Practice and Development, and national prosecutors from the Rwandan National Public Prosecution Authority. The Tribunal also continued its youth outreach by collaborating in the hosting of the annual all Africa international humanitarian law moot court competition run by the International Committee of the Red Cross during the last week of November 2012.

55. Finally, the Tribunal sent two staff members of the Registry to the Community Court of Justice of the Economic Community of West African States (ECOWAS) in Abuja from 24 to 28 September 2012 to assist the Community Court of Justice in reorganizing its Registry. As a follow-up to that, 20 staff members of the Community Court of Justice, comprising registrars, court bailiffs, court recorders and administrative assistants, among others, visited the Tribunal in two groups from 15 to 28 November 2012 and from 26 November to 7 December 2012 to undergo training at the Tribunal. The training was aimed at sharing the best practices developed by the Tribunal with staff members of the Community Court of Justice. Similarly, the Tribunal will send one staff member of the Registry to Port of Spain from 10 to 25 May 2013 to share its best practices developed in the area of court management with the Registry of the Caribbean Court of Justice. The Tribunal also held discussions with the African Court on Human and Peoples' Rights in February 2013 and explored ways of cooperation and sharing of best practices with the institution.

III. Transition to the International Residual Mechanism for Criminal Tribunals

56. In compliance with Security Council resolutions 2054 (2012) and 2080 (2012), section III details the efforts made during the reporting period in respect of the transition to the Residual Mechanism, including projections, with projected dates where possible, for the handover of functions.

A. Judicial functions

57. Security Council resolution 1966 (2010) and the transitional arrangements annexed thereto set out mandates for a coordinated transition of the judicial functions of the Tribunal to the Residual Mechanism on 1 July 2012 or as soon thereafter as possible.

58. Pursuant to article 2 of the transitional arrangements, any appeals filed with respect to Tribunal decisions or judgements after 1 July 2012 fall under the responsibility of the Residual Mechanism. As a result, the Residual Mechanism has competence over one appeal from a Tribunal judgement, in the *Ngirabatware* case. In accordance with the statute of the Residual Mechanism and the transitional arrangements, the Residual Mechanism is also now responsible for requests to review Tribunal judgements, trials for contempt of court or false testimony where the indictment is confirmed on or after 1 July 2012, and the trials of the three of the top priority Tribunal fugitives once they are arrested. The Arusha branch Duty Judge of the Residual Mechanism (double-hatted Tribunal President Joensen) has already handled several confidential motions with respect to the three Residual Mechanism fugitive cases. Supervision of the enforcement of sentences has also already been handed over to the President of the Residual Mechanism.

59. The Residual Mechanism has also been handling requests for assistance from national authorities and motions related to contempt proceedings before it. So far the Duty Judge has been assigned to handle each request as it has been received by the President of the Residual Mechanism, and has issued several decisions on the respective issues.

B. Office of the President

60. Pursuant to article 6 of its statute, on 1 July 2012 the Residual Mechanism assumed responsibility for issues related to cases referred by the Tribunal to national courts, such as the monitoring of cases (with the assistance of international or regional organizations) and consideration of revocation. Given that the resources in relation to the *Uwinkindi* case are in the Tribunal budget, it was agreed that during the current biennium, while the President of the Residual Mechanism would retain all judicial functions related to this transferred case, the Tribunal Registrar and President would continue to oversee the administrative functions of monitoring that case, in close consultation with the Residual Mechanism. The *Munyagishari* case was referred to Rwanda by a Tribunal Trial Chamber in June 2012, and that decision was confirmed by the Appeals Chamber on 3 May 2013. As soon as a small number of remaining matters are sorted out, the President expects the immediate transfer of Bernard Munyagishari to Rwanda, and the monitoring of that case will be the

responsibility of the Residual Mechanism. The Residual Mechanism has also assumed responsibility for monitoring of the two Tribunal cases referred to France. Therefore, by the end of 2013 at the latest, all monitoring of referred cases will fall solely under the responsibilities of the Residual Mechanism.

61. As described above in section II.D, the Tribunal continues to work hard to relocate individuals acquitted and those persons who have completed their sentences in the United Republic of Tanzania in order that they may resume their lives. The United Republic of Tanzania has been most gracious in allowing those individuals to remain in Arusha under the protection of the Tribunal while it seeks their relocation to third countries. For as long as such persons remain in the United Republic of Tanzania under the care of the Tribunal, the Tribunal will also consider it incumbent to find countries to which to relocate those persons. In this respect, and in order to complement the tireless efforts over many years which have been undertaken by the Registrar in the light of the imminent closure of the Tribunal, the President is assisting with diplomatic efforts to relocate those persons with the hope that all relocation can be concluded before the Tribunal closes.

C. Registry

62. Upon the coming into existence of the Arusha branch of the Residual Mechanism, a number of functions were immediately transferred to it, including the enforcement of sentences, provision of assistance to national authorities, the protection of witnesses in completed cases, and the tracking of the remaining three top priority fugitives. It was understood that other functions would be transferred gradually to the Residual Mechanism once they are no longer critical for the completion of the work of the Tribunal. These include such administrative functions as the provision of health services and security, financial management, and the management of human resources. The Registrars of the Tribunal, the International Tribunal for the Former Yugoslavia and the Residual Mechanism recently held a fruitful retreat, in the context of the preparation of their respective budgets for the 2014-2015 biennium, with the view to, among other issues, mapping out the time frames for the transfer of those functions to the Residual Mechanism. It is expected that those time frames will be clearer once the current budgeting process is completed. However, to the extent possible, projected dates already agreed upon are provided below.

63. During the reporting period, pursuant to article 20 of the statute of the Residual Mechanism and article 5 of the transitional arrangements, the Tribunal has continued to hand over confidential files of witnesses in completed cases to the Residual Mechanism. A joint Tribunal-Residual Mechanism team has been formed to ensure that witness files in ongoing cases are prepared and transferred to the Residual Mechanism as soon as each ongoing case is completed. Since the function of protection of witnesses in ongoing cases has remained with the Tribunal, tasks related to the protection and care of witnesses in ongoing cases will remain with the Tribunal and will be transferred immediately upon completion of each ongoing case. The Tribunal continued with the preparation of those records for transfer to and management by the Residual Mechanism. It is working very closely with the Residual Mechanism in this regard, especially to ensure that the records are prepared in a manner that will facilitate their effective management by the Residual Mechanism after transfer. In spite of the vast challenges presented by the volume

and nature of the records as well as the fact that some of the records are still active and will remain so until the completion of the *Butare* appeal in 2015, the Tribunal hopes that the preparation and transfer of its records will be completed before it closes. In the meantime, as detailed in section III.F below, the temporary storage facility for the prepared records, to be used while the Residual Mechanism waits for the completion of the permanent purpose-built building, is almost complete, and it is expected that it will be in use by June 2013.

64. The Language Services Section of the Tribunal continues to provide assistance to the Arusha branch of the Residual Mechanism in regard to the translation of judicial filings and official documents, in spite of the large number of appeals-related documents and appeals judgements of the Tribunal which remain to be translated. The Tribunal will continue to translate all documents required for judicial processes, including, where necessary, to ensure that fair trial rights are observed, and will also continue wherever possible to translate documents for archiving purposes until its closure upon delivery of the *Butare* appeal. Therefore, since the Tribunal will no longer have staff to translate documents after the *Butare* appeal is delivered, the Residual Mechanism will translate the appeal judgement in the *Butare* case.

D. Division of Administrative Support Services

65. The Division of Administrative Support Services has continued to provide administrative support to all organs of the Tribunal and, in conjunction with the International Tribunal for the Former Yugoslavia, to the Residual Mechanism. The following activities took place during the reporting period with respect to the downsizing of the Tribunal.

66. The Human Resources and Planning Section continues to offer training and counselling services in addition to the administration of staff entitlements. The section is continuing to prepare staff for the transition to other jobs after the Tribunal. In addition, the section is continuously reviewing and updating the separation process in order to hasten the receipt of end-of-service benefits to staff who are separating. The Career Resource Centre is continuing to provide training on the preparation of curricula vitae, the use of the United Nations Inspira recruitment system and preparation for interviews.

67. The Security and Safety Section continued to support the Tribunal to ensure the safety and security of its staff, premises, assets and operations through the implementation of United Nations Security Management System policies. Close collaboration was promoted with host government authorities in Rwanda and the United Republic of Tanzania. The section continued to monitor security trends and to ensure appropriate measures against threats existing in the operating environment. The section contributed to planning activities for the commencement of the Residual Mechanism in accordance with arrangements agreed between the two institutions.

68. The General Services Support Section continued with the services already provided, but at a much scaled down rate. The section was reorganized to rationalize the functions of the various units. The Assets Management Unit has been strengthened to help accelerate the disposal of assets. Efforts to scale down the provision of services in-house have continued, the latest being the introduction of

fuel cards in place of the operation of a fuel depot. A number of offices formerly occupied by Tribunal staff have been returned to the Arusha International Conference Centre in the light of the reduced number of staff. This has made it possible to consolidate most of the sections in the Kilimanjaro wing of the Arusha International Conference Centre compound. In Kigali, the Residual Mechanism and the remaining Tribunal staff have been accommodated in new premises. Write-off of surplus items as part of the liquidation plan is continuing in earnest.

69. The Finance and Budget Section has been preparing payments for separating staff while monitoring the rational use of funds in accordance with the approved budget. The section is also leading the Tribunal's preparation for the implementation of the International Public Sector Accounting Standards in 2014.

70. The Information Technology Services Section continues to support the downsizing activities. This entails support of staff office relocation, liquidation of old assets and the provision of supplementary services and training to mitigate the effect of skills attrition among business process owners and operators. Lower cost technology was introduced in Kigali to scale proportionately to the much reduced total staffing level of the Tribunal and the Residual Mechanism in that office. Some services, such as security radio network coverage, will be outsourced to another United Nations organization in Kigali, such as Department of Safety and Security/United Nations Development Programme.

71. The Health Services Unit continues to provide basic and specialized health services to its clients, including the staff members of the Tribunal and the Residual Mechanism and their dependants; detainees and released and acquitted persons; witnesses and victims; interns and visitors; and non-United Nations staff, such as labourers, contractors and cleaners. Hospitalization is outsourced from facilities in Arusha and the relevant authorized locations for medical evacuations. The unit will continue to: provide its clients with medical care on a daily basis; provide vaccinations, counselling and health education; and provide medico-administrative duties.

72. All the administrative and support services described above are projected to remain the responsibility of the Tribunal until its closure upon delivery of the *Butare* judgement in 2015, after which the Residual Mechanism has agreed to provide administrative support to the liquidation team of the Tribunal.

E. Office of the Prosecutor

73. Since the launching of the Residual Mechanism on 1 July 2012, a number of designated professional staff of the Office of the Prosecutor of the Tribunal have been double-hatting for activities related to the Residual Mechanism in order to gradually make it fully operational. In this regard, Tribunal staff have double-hatted to support tracking operations of the Office of the Prosecutor of the Residual Mechanism, the work within the immediate office of the Prosecutor, the processing of requests for assistance by national authorities, and the handling of Residual Mechanism appeals. The Appeals and Legal Advisory Division of the Tribunal, for example, conducted the appeal before the Appeals Chamber of the Residual Mechanism in respect of the decision by the Tribunal to transfer the fugitive case of *Munyarugarama* to Rwanda for trial and continues to provide support to the ad hoc Residual Mechanism team prosecuting the *Ngirabatware* appeal and related

litigation. Most recently, the Appeals and Legal Advisory Division prepared a legal opinion and appeals readiness report in connection with the *Ngirabatware* case, which is now pending before the Residual Mechanism. An ad hoc team of staff of the Residual Mechanism has now been recruited to assume primary responsibility for defending the *Ngirabatware* trial judgement on appeal. In addition, in the past several weeks, the Appeals and Legal Advisory Division of the Tribunal, in a double-hatting capacity, filed a motion for reconsideration and interlocutory appeal in connection with the decision of the Residual Mechanism Single Judge holding that the Tribunal Trial Chamber lacked jurisdiction to initiate contempt proceedings against Deogratias Sebureze and Maximilien Turinabo.

74. While staff of the Residual Mechanism already have access to the relevant records of the Office of the Prosecutor of the Tribunal, the full archives of the latter are expected to be transferred to the Office of the Prosecutor of the former upon completion of all Tribunal appeals and related litigation. In the meantime, as the archives of the Residual Mechanism gradually become fully established, materials no longer in active use will be transferred on an ongoing basis, and Tribunal staff will be double-hatting. Coordination and close cooperation with the International Tribunal for the Former Yugoslavia and the Tribunal continued to ensure that the Residual Mechanism operates smoothly despite its current limited resources.

75. The full complement of staff of the Office of the Prosecutor of the Residual Mechanism, pursuant to ongoing recruitment, is expected to be in office by mid-June 2013.

F. Archives

76. Despite the challenges related to staff retention and recruitment associated with the upcoming closure of the Tribunal, the work of preparing the records of the Tribunal for transfer to the Residual Mechanism has continued with vigour. The rehousing of original materials and the verification of hard copy judicial records against the associated metadata and electronic versions of the records has been completed for 60 per cent of all judicial records. The approval of the Records Retention Schedule of the Tribunal has greatly facilitated the work related to the disposal of the other substantive and administrative records of the Tribunal. During the reporting period, the compliant disposition of records, including the separation of inactive records from active records and the development of inventories, has commenced for most substantive offices of the Tribunal. In addition to the ongoing activities associated with the preparation of the Office of the Prosecutor and judicial records for transfer to the Residual Mechanism, several other offices are well advanced in the disposal and preparation process, including the United Nations Detention Facility, the Defence Counsel and Detention Management Section, the Office of the President and the Human Resources Planning Section. To date, 1,400 linear metres (approximately 40 per cent of the records to be transferred) have been rehoused, boxed and listed and are fully prepared for transfer to the custody of the Residual Mechanism. With the exception of some final clean-up work, the redaction of all master audio recordings has been completed. The focus of the audiovisual redaction process has shifted to the video recordings identified as possessing the highest external access value, and it is expected that over 10,000 hours of proceedings will have been redacted by the end of 2014.

77. The construction and installation of equipment in the temporary archives storage facility, comprised of three records repositories, is nearing completion. The air conditioning and shelving units have been installed, and the Tribunal is looking at the acquisition of fire suppression systems. Upon completion of the temporary facility, the handover process will commence; the transfer process will then be conducted in a phased manner, as the records are prepared. The target date for the completion of the handover process is December 2014. However, since current projections indicate that some of the records will still be active for some time beyond the end of 2014, the transfer of all records to the Residual Mechanism is now expected to be completed in 2015, bearing in mind that the records which are still in active use in support of the functions of the Tribunal will remain its responsibility.

Conclusion and updated prognosis regarding the implementation of the completion strategy

78. During the reporting period, judicial and legal activity was focused mostly on completion of the final trial judgement and ongoing work on the appeals. The focus of administrative energies has remained on downsizing and providing the support necessary for the Residual Mechanism, while still providing continued support for the remaining judicial and legal work of the Tribunal. Current projections for the transfer of administrative services to the Residual Mechanism indicate that it should begin to reduce its reliance on administration by the Tribunal in 2014.

79. In December 2012, the Tribunal rendered its final trial judgement, leaving only the appeals to be completed. It has also already completed all evidence preservation hearings and has disposed of all referral applications, resulting in zero remaining substantive trials under the auspices of the Tribunal. The handover of judicial responsibilities to the Residual Mechanism is complete, with the first appeal currently under way. The Tribunal has also commenced the process of transferring records and archives to the Residual Mechanism, and the smooth transition of prosecutorial tasks remains on track.

80. While it must be recalled that possibilities exist for contempt/false testimony cases to be heard by the Tribunal in the three cases where indictments were confirmed before 1 July 2012, each could commence swiftly upon arrest and be completed quickly. Thanks to the continued hard work and dedication of the staff, the Tribunal completed all substantive trial activities before the end of 2012, as projected. Moreover, except for the slip in projection for completion of the *Butare* judgement, which was caused by delays in the translation of the trial judgement and other documents related to the appeal that the defence is legally entitled to receive in a language that the accused can understand, all other appeal judgements remain on track for completion before the end of 2014, and the *Butare* appeal judgement is projected to be delivered in July 2015.

81. Since its inception, the Tribunal has sought to contribute to the process of reconciliation in Rwanda by helping to restore a sense of justice and playing a role in the development of a lasting peace in the Great Lakes Region. Rebuilding this sense of justice has paved the way for moving past the events of 1994, and the Tribunal has helped ensure that those events are never forgotten through its outreach and capacity-building initiatives. The transition to the Residual Mechanism, which

is notably tasked with maintaining and furthering the legacy of the Tribunal, marks the etching of a new chapter into the history of international law. The writing of this next chapter has already begun with the work of the International Criminal Court and Special Tribunal for Lebanon. With the impending closure of the ad hoc tribunals, the Residual Mechanism will ensure that their legacy is preserved for posterity and that lessons learned are shared with their successors. Before facing the renewed challenges the next chapter will bring, the Tribunal would, however, be remiss not to underline how far the cooperation of Member States has brought it, the crucial role it has played, and the difficulties that will be faced without reinvigorated efforts in certain areas. The tremendous support of the international community for the Tribunal has enabled it not only to prosecute those most responsible for the Rwandan genocide, but also, in turn, to assist national jurisdictions who are able to complement its work and thereby further strengthen accountability for the most serious crimes under international law. Such empowerment of national institutions has substantiated the Tribunal's commitment towards the implementation of the rule of law, and may ultimately allow for impunity to be successfully challenged in a lasting way at all levels.

Annex I

Trial judgements delivered as at 10 May 2013: 55 judgements concerning 75 accused

Case No.	*Name*	*Former title*	*Initial appearance*	*Trial Chamber*	*Trial judgement*
1	J.-P. Akayesu	*Bourgmestre* of Taba	30 May 1996	I	2 September 1998
2	J. Kambanda	Prime Minister	1 May 1998	I	4 September 1998 (guilty plea)
3	O. Serushago	Businessman, *Interahamwe* leader	14 December 1998	I	5 February 1999 (guilty plea)
4	C. Kayishema	*Préfet* of Kibuye	31 May 1996	II	21 May 1999 (joinder)
	O. Ruzindana	Businessman	29 October 1996		
5	G. Rutaganda	Businessman, SecondVice-President of *Interahamwe*	30 May 1996	I	6 December 1999
6	A. Musema	Businessman	18 November 1997	I	27 January 2000
7	G. Ruggiu	Journalist, Radio-télévision libre des mille collines	24 October 1997	I	1 June 2000 (guilty plea)
8	I. Bagilishema	*Bourgmestre* of Mabanza	1 April 1999	I	7 June 2001
9	G. Ntakirutimana	Doctor	2 December 1996	I	21 February 2003 (joinder)
	E. Ntakirutimana	Pastor	31 March 2000		
10	L. Semanza	*Bourgmestre* of Bicumbi	16 February 1998	III	15 May 2003
11	E. Niyitegeka	Minister of Information	15 April 1999	I	15 May 2003
12	J. Kajelijeli	*Bourgmestre* of Mukingo	19 April 1999	II	1 December 2003
13	F. Nahimana	Director, Radio-télévision libre des mille collines	19 February 1997	I	*Media* case (joinder)
	H. Ngeze	Kangura Editor	19 November 1997		3 December 2003
	J.-B. Barayagwiza	Director, Ministry of Foreign Affairs	23 February 1998		
14	J. Kamuhanda	Minister of Culture and Education	24 March 2000	II	22 January 2004

Case No.	*Name*	*Former title*	*Initial appearance*	*Trial Chamber*	*Trial judgement*
15	A. Ntagerura	Minister of Transport	20 February 1997	III	*Cyangugu* case (joinder) 25 February 2004
	E. Bagambiki	*Préfet* of Cyangugu	19 April 1999		
	S. Imanishimwe	Lieutenant in the Forces armées rwandaises	27 November 1997		
16	S. Gacumbitsi	*Bourgmestre* of Rusumo	20 June 2001	III	17 June 2004
17	E. Ndindabahizi	Minister of Finance	19 October 2001	I	15 July 2004
18	V. Rutaganira	*Conseiller* of Mubuga	26 March 2002	III	14 March 2005 (guilty plea)
19	M. Muhimana	*Conseiller* of Gishyita	24 November 1999	III	28 April 2005
20	A. Simba	Lieutenant-Colonel in the Forces armées rwandaises	18 March 2002	I	13 December 2005
21	P. Bisengimana	*Bourgmestre* of Gikoro	18 March 2002	II	13 April 2006 (guilty plea)
22	J. Serugendo	Technical Director, Radio-télévision libre des mille collines	30 September 2005	I	12 June 2006 (guilty plea)
23	J. Mpambara	*Bourgmestre* of Rukara	8 August 2001	I	12 September 2006
24	T. Muvunyi	Interim Commander, École des sous-officiers	8 November 2000	II	12 September 2006
25	A. Rwamakuba	Minister of Education	7 April 1999	III	20 September 2006
26	A. Seromba	Priest, Kivumu Commune	8 February 2002	III	13 December 2006
27	J. Nzabirinda	Youth organizer	27 March 2002	II	23 February 2007 (guilty plea)
28	J. Rugambarara	*Bourgmestre* of Bicumbi	15 August 2003	II	16 November 2007 (guilty plea)
29	GAA	Witness before Tribunal proceedings	10 August 2007	III	4 December 2007 (contempt of Tribunal)
30	F. Karera	*Préfet* of Kigali	26 October 2001	I	7 December 2007
31	S. Nchamihigo	Deputy Prosecutor of Cyangugu	29 June 2001	III	24 September 2008
32	S. Bikindi	Musician	4 April 2002	III	2 December 2008

Case No.	*Name*	*Former title*	*Initial appearance*	*Trial Chamber*	*Trial judgement*
33	P. Zigiranyirazo	Businessman	10 October 2001	III	18 December 2008
34	T. Bagosora	Director of Cabinet, Ministry of Defence	20 February 1997	I	*Military I* case (joinder) 18 December 2008
	G. Kabiligi	Brigadier-General in the Forces armées rwandaises	17 February 1998		
	A. Ntabakuze	Forces armées rwandaises Battalion Commander	24 October 1997		
	A. Nsengiyumva	Lieutenant-Colonel in the Forces armées rwandaises	19 February 1997		
35	E. Rukundo	Chaplain	26 September 2001	II	27 February 2009
36	C. Kalimanzira	Directeur de Cabinet of the Ministry of the Interior	14 November 2005	III	22 June 2009
37	L. Nshogoza	Former Defence Investigator	11 February 2008	III	2 July 2009 (contempt of court case)
38	T. Renzaho	*Préfet* of Kigali-*ville*	21 November 2002	I	14 July 2009
39	M. Bagaragaza	Director General of Government Office Controlling the Tea Industry	16 August 2005	III	5 November 2009 (guilty plea)
40	H. Nsengimana	Rector, Christ-Roi College	16 April 2002	I	17 November 2009
41	T. Muvunyi	Interim Commander, École des sous-officiers Camp	8 November 2000	III	11 February 2010 (retrial)
42	E. Setako	Lieutenant-Colonel	22 November 2004	I	25 February 2010
43	Y. Munyakazi	*Interahamwe* leader	12 May 2004	I	30 June 2010
44	D. Ntawukulilyayo	*Sous-préfet* of Butare prefecture	10 June 2008	III	3 August 2010
45	G. Kanyarukiga	Businessman	22 July 2004	II	1 November 2010
46	I. Hategekimana	Lieutenant, Commander of Ngoma Camp, Butare	28 February 2003	II	1 December 2010
47	J.-B. Gatete	*Bourgmestre* of Murambi	20 September 2002	III	29 March 2011

Case No.	*Name*	*Former title*	*Initial appearance*	*Trial Chamber*	*Trial judgement*
48	A. Ndindiliyimana	Chief of Staff of Gendarmerie	27 April 2000	II	*Military II* case (joinder) 17 May 2011
	F.-X. Nzuwonemeye	Forces armées rwandaises Battalion Commander	25 May 2000		
	I. Saguhutu	Second-in-Command of Reconnaissance Battalion	28 November 2000		
	A. Bizimungu	Chief of Staff of the Forces armées rwandaises	21 August 2002		
49	P. Nyiramasuhuko	Minister of Family and Women's Affairs	3 September 1997	II	*Butare* case (joinder) 24 June 2011
	A. S. Ntahobali	*Interahamwe* leader	17 October 1997		
	S. Nsabimana	*Préfet* of Butare	24 October 1997		
	A. Nteziryayo	*Préfet* of Butare	17 August 1998		
	J. Kanyabashi	*Bourgmestre* of Ngoma	29 November 1996		
	E. Ndayambaje	*Bourgmestre* of Muganza	29 November 1996		
50	C. Bizimungu	Minister of Health	3 September 1999	II	*Bizimungu et al.* case (joinder) 30 September 2011
	J. Mugenzi	Minister of Commerce	17 August 1999		
	J. Bicamumpaka	Minister of Foreign Affairs	17 August 1999		
	P. Mugiraneza	Minister of Civil Service	17 August 1999		
51	G. Ndahimana	*Bourgmestre* of Kivumu	28 September 2009	III	17 November 2011
52	E. Karemera	Minister of Interior, Vice-President of the Mouvement républican national pour le développement et la démocratie (MRND)	7 April 1999	III	*Karemera et al.* case (joinder — third accused J. Nzirorera died on 1 July 2010) 21 December 2011
	M. Ngirumpatse	General Director at Ministry of Foreign Affairs, President of MRND	7 April 1999		
53	C. Nzabonimana	Minister of Youth in the Interim Government	20 February 2008	III	31 May 2012

Case No.	*Name*	*Former title*	*Initial appearance*	*Trial Chamber*	*Trial judgement*
54	I. Nizeyimana	Second-in-Command, École des sous-officiers	14 October 2009; further appearances 5 March 2010 and 7 October 2010	III	19 June 2012
55	A. Ngirabatware	Minister in the Interim Government	Initial appearance on 9 February 2009	II	20 December 2012

Annex II

Referrals pursuant to rule 11 bis for apprehended accused: 4 cases concerning 4 accused

Case No.	*Name*	*Former title*	*Initial appearance*	*Trial Chamber*	*Status*
56	W. Munyeshyaka	Clergy	Not applicable (arrested in France)	Not applicable	Case transferred to France on 20 November 2007
57	L. Bucyibaruta	*Préfet* of Gikongoro prefecture	Not applicable (arrested in France)	Not applicable	Case transferred to France on 20 November 2007
58	J. Uwinkindi	Pastor, Nyamata	9 July 2010	III	Accused transferred to Rwanda on 19 April 2012
59	B. Munyagishari	Former President of *Interahamwe* for Gisenyi	20 June 2011	III	Motion for referral to a national jurisdiction granted by Trial Chamber on 6 June 2012; appeal decision affirmed Trial Chamber decision to refer on 3 May 2013; transfer to Rwanda expected imminently

Annex III

Fugitives indicted by the Tribunal

Name	*Status as at 10 May 2013*
Augustin Bizimana	Residual Mechanism will be responsible for trial when arrested
Félicien Kabuga	Residual Mechanism will be responsible for trial when arrested
Protais Mpiranya	Residual Mechanism will be responsible for trial when arrested
Ladislas Ntaganzwa	Fugitive accused case referred to Rwanda
Fulgence Kayishema	Fugitive accused case referred to Rwanda
Charles Sikubwabo	Fugitive accused case referred to Rwanda
Aloys Ndimbati	Fugitive accused case referred to Rwanda
Charles Ryandikayo	Fugitive accused case referred to Rwanda
Phénéas Munyarugarama	Fugitive accused case referred to Rwanda

Annex IV

Projected appeals schedule of the International Criminal Tribunal for Rwanda as at 10 May 2013